

A. Independent Claim 1 is Allowable over Musgrove

Generally speaking, applicant's claimed invention relates to methods and systems for processing and storing transactional information. As defined by independent claim 1, a method for tracking and storing network-based transactional data includes identifying each user by a user identifier, storing the user identifiers in a first database, associating a transaction identifier with a transaction between at least two users having user identifiers, storing the transaction identifier, the user identifiers, and transactional data in a second database, providing at least some of the transactional data to each user involved in the transaction, and updating the transactional data.

Musgrove, on the other hand, discusses an automated on-line commerce method and apparatus for assisting a user with the purchase of one or more products. As explained in Musgrove, a user first logs into a shopping server. Next, the user selects products for purchase from one or more merchants servers based on information in the shopping server's product database, which, as explained at lines 56-67 of column 7, "might not be entirely updated due to the fluid state of on-line commerce." Meanwhile, a transaction record is used to keep track of the selected products, and includes, for example, merchant SKU's and shipping options for the selected products. Once the user is finished selecting products, the shopping server provides the user a confirmation page that includes "real-time pricing and shipping information obtained from merchant server 40 for each selected product in transaction record 54" (Musgrove, column 7, lines 58-60). Finally, the shopping server executes a separate buy procedure on behalf of the user for each merchant from which the user has approved the purchase of one or more products.

In rejecting claim 1, the Examiner stated on page 2 of the Office Action that "[Musgrove discloses] a computer-aided method ... comprising: (a) identifying each user by a user identifier (See column 6, lines 30-44); (b) storing the user identifiers in a first database (See column 6, lines 30-67)." Contrary to the Examiner's assertion, however, Musgrove does not provide any disclosure relating to the identification of each user by a "user identifier," or storing such "user identifiers" in a first database, as required by claim 1. For example, the portion of Musgrove cited by the Examiner refers to a cookie management procedure for correlating order placement sessions and corresponding order acceptance sessions. Nowhere in this portion, however, is identifying each of the merchant servers, which are among the "users" in Musgrove, by a "user identifier" ever disclosed or suggested. Additionally, applicant submits that the only

identification discussed in Musgrove relating to merchant servers involves the use of a “first cookie,” which enables merchant servers to track their respective order acceptance sessions. However, as explained in Musgrove, the “first cookie” merely contains “information identifying the order acceptance session between shopping server 20 and merchant server 40, *i.e.*, a merchant session ID.” (Musgrove, column 6, lines 5-7, emphasis added). Accordingly, it is clear from the disclosure of Musgrove that the “first cookie” is used to identify a particular session the merchant server is involved with to enable the merchant server to resume an order acceptance session, and not to identify the merchant server itself.

In light of the above, applicant respectfully submits that Musgrove fails to teach or suggest “identifying each user by a user identifier,” as required by claim 1. Moreover, applicant respectfully submits that Musgrove must therefore also fail to teach or suggest “storing the user identifiers in a first database,” as also required by claim 1.

The Examiner, in rejecting claim 1, also stated that Musgrove discloses “storing ... transactional data in a second database” and “providing at least some of the transactional data to the at least two users of the transaction” (Office Action, page 2). Contrary to the Examiner’s assertion, however, applicant respectfully submits that neither the cited portion of Musgrove, nor any other portion, discloses providing transactional data that has been stored in a second database to each of the users involved in a transaction (which, as explained above, includes the merchant servers).

As explained in column 7, lines 52-60 of Musgrove, for example, the shopping server in Musgrove does not communicate with any of the merchant servers until a confirmation page, which contains “real-time pricing and shipping information” of the user’s selected products, is to be presented to the user. At this point, according to the explanation provided by Musgrove at column 7, lines 31-36 (emphasis added):

[the shopping server] uses the information in transaction record 54 to verify pricing information, shipping information, and other details of the desired purchase with merchant server 40 by automatically going to each merchant checkout page, or other information page, and retrieving the updated information.”

However, nowhere in this section, nor in any other portion of Musgrove, is it disclosed or suggested that any transactional data be provided to any of the merchant servers. Rather, the shopping server in Musgrove merely uses a transaction record to determine the user’s selected

products, and thereafter obtains current information on these products for confirmation by the user by retrieving the necessary information from the merchant servers.

Therefore, applicant respectfully submits that Musgrove does not teach or suggest “providing at least some of the transactional data” stored in a second database to each of the users involved in a transaction, as required by claim 1.

As the combination of elements of independent claim 1 are not disclosed by Musgrove, applicant respectfully submits that claim 1, and claims 3-5 and 7-23 which depend from claim 1, are allowable over Musgrove. Applicant therefore respectfully requests that the rejection of claims 1, 3-5, and 7-23 be withdrawn by the Examiner.

B. Independent Claim 24 is Allowable Over Musgrove

Applicant’s invention, as defined by claim 24, is a computer-aided transaction processing system that includes a first database for storing a user identifier and identity information for at least two users, an information processing system for managing a transaction between these users (wherein a transaction identifier is associated with the transaction), and a second database for storing a database record that contains the transaction identifier, corresponding transaction data, and the user identifiers of the at least two users involved in the transaction.

Applicant respectfully submits that, despite the Examiner’s assertion to the contrary, Musgrove does not anticipate claim 24. For example, in rejecting claim 24, the Examiner stated the following on page 6 of the Office Action:

[Musgrove discloses] a computer-aided transaction processing system ... comprising: a first database for storing a user identifier and identity information for at least two users (See column 6, lines 30-44).

However, as discussed above with respect to claim 1, Musgrove does not disclose identifying any of the merchant servers (which make up at least one of the users in a transaction in Musgrove) by a “user identifier.” Accordingly, applicant respectfully submits that, for at least the reasons advanced above in connection with claim 1, Musgrove does not disclose “a first database for storing a user identifier and identity information for at least two users” (claim 24, emphasis added).

Therefore, as the combination of elements of independent claim 24 are not disclosed by Musgrove, applicant respectfully requests that the Examiner withdraw the rejection with respect

to claim 24, and its dependent claims 26 and 28-33, which incorporate all of the features of claim 24.

V. The Rejection Under 35 U.S.C. § 103(a)

The Examiner rejected claims 2, 6, 25, 27, and 34-37 under 35 U.S.C. § 103(a) as being unpatentable over Musgrove in view of U.S. Patent Application Pub. No. US 2002/0007351 A1 to Hillegass et al. (“Hillegass”).

For at least the following reasons, applicant respectfully submits that the combination of Musgrove and Hillegass does not render any of claims 2, 6, 25, 27, or 34-37 unpatentable.

A. Dependent Claims 2, 6, 25, and 27 are Allowable Over Musgrove and Hillegass

Claims 2, 6, 25, and 27 each depend from (and include all of the limitations of) one of independent claims 1 and 24, which are allowable over Musgrove for at least the reasons provided above. Applicant respectfully submits that, even with the addition of Hillegass, which discusses a system and method for providing digital tokens for use in e-commerce, the combination of elements recited in claims 1 and 24 are still not shown.

Therefore, applicant respectfully submits that claims 2, 6, 25, and 27 are allowable over the combination of Musgrove and Hillegass, and requests that the Examiner withdraw the rejection of claims 2, 6, 25, and 27.

B. Independent Claims 34 and 36 are Allowable Over Musgrove and Hillegass

In rejecting claims 34 and 36, the Examiner asserted that Musgrove discloses each of the elements of these claims, with the exception of using a unique transaction identifier (*see* Office Action, pages 9-10). Applicant respectfully disagrees with the Examiner’s assertion.

As explained above, Musgrove fails to disclose several elements of claim 1, including “identifying each user by a user identifier,” “storing the user identifiers in a first database,” and “providing at least some of the transactional data” that is stored in a second database to each of the users involved in a transaction. Accordingly, applicant respectfully submits that, for at least the reasons advanced above in connection with claim 1, Musgrove does not disclose either “means for storing a user identifier ... for at least two users” or “means for enabling users involved in the transaction to access at least some of the transactional data,” as required by

claim 34. Similarly, applicant respectfully submits that Musgrove also fails to disclose “computer readable program code means for storing a user identifier ... for at least two users” or “computer readable program code means for enabling users involved in the transaction to access at least some of the transactional data,” as required by claim 36. Moreover, as Hillegass does not provide these missing limitations, applicant respectfully submits that both claims 34 and 36 are allowable over the combination of Musgrove and Hillegass.

In light of the above, applicant respectfully requests that the rejection of claims 34 and 36, and claims 35 and 37 which depend from one of claims 34 and 36, be withdrawn by the Examiner.

VI. Conclusion

Applicant respectfully submits that, as described above, the cited references do not show or suggest the combination of features recited in the claims. Moreover, while applicant has provided specific examples of elements in the claims that are clearly not present in the cited references, it is strongly emphasized that one reviewing the prosecution history should not interpret any of the examples applicant has described herein in connection with distinguishing over the cited references as limiting to those specific features in isolation. Rather, applicant asserts that it is the combination of elements recited in each of the claims, when each claim is interpreted as a whole, which is patentable. Applicant has emphasized certain features in the claims as clearly not present in the cited references, as discussed above, for the sake of simplicity.

For all the reasons advanced above, applicant respectfully submits that this application, as amended, is in condition for allowance. Reconsideration and prompt allowance of this application are respectfully requested.

Respectfully submitted,

WILMER CUTLER PICKERING
HALE AND DORR LLP



Victor F. Souto

Registration No. 33,458
Attorneys for Applicant

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Wilmer Cutler Pickering
Hale and Dorr LLP
1455 Pennsylvania Avenue, NW
Washington, DC 20004
Tel: 202-942-8400
Fax: 202-942-8484
Customer No. 28089